

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOSEPH MICHAEL DEVON ENGEL,)	
)	
Plaintiff,)	
)	
v.)	No. 4:21-cv-00713-SRC
)	
MODOC, et al.,)	
)	
Defendants.)	

Memorandum and Order

This matter is before the Court on [8] Plaintiff Joseph Michael Devon Engel’s motion to proceed *in forma pauperis* on appeal. The Court dismissed this action on July 7, 2021, under the three strikes provision of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g), subject to Plaintiff refiling the case as a fully-paid complaint. Docs. 3-4.

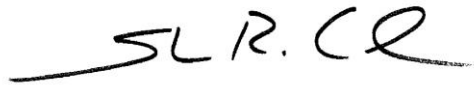
The Court has no reason to believe that an appeal of this matter would be taken in good faith, 28 U.S.C. § 1915(a)(3), and it is not apparent that plaintiff now seeks appellate review of any issue that is not frivolous. *See Coppedge v. United States*, 369 U.S. 438, 445 (1962). Furthermore, plaintiff has repeatedly filed meritless lawsuits in this Court, to the point where this Court has found his litigation practices to be an abuse of the judicial process. *See* Doc. 3. Despite plaintiff’s averments in the instant motion, *see* Doc. 8 at p. 1, plaintiff has filed at least three actions that were dismissed because they were frivolous, malicious, or failed to state a claim upon which relief may be granted.¹ Accordingly, he has accumulated three “strikes” as defined in 28 U.S.C. § 1915(g), and his averments do not establish he is under imminent danger of serious physical injury.

¹ *See Engel v. Governor of Missouri*, No. 1:20-cv-217-HEA (E.D. Mo. Dec. 15, 2020); *Engel v. United States of America*, No. 4:20-cv-1742-MTS (E.D. Mo. Dec. 18, 2020); *Engel v. Missouri Courts*, No. 4:20-cv-1258-SPM (E.D. Mo. Dec. 21, 2020).

For all of these reasons, the Court therefore finds that plaintiff may not proceed *in forma pauperis* on appeal.

Accordingly, the Court denies [8] Plaintiff's motion to proceed *in forma pauperis* on appeal.

So Ordered this 11th day of August, 2021.

A handwritten signature in black ink, appearing to read "S. R. Clark", written in a cursive style.

STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE